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JC891 U.S. PTO

JC825 U.S. PTO  
09/712935  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Assistant Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, D.C. 20231

**TRANSMITTAL FOR A NEWLY EXECUTED ORIGINAL APPLICATION  
UNDER 37 C.F.R. §1.53(b)**

This is a request for filing a patent application under 37 C.F.R. §1.53(b) for:

Inventors: Ying XIE, Elaine CHIEN and Peter WILLIAMS

For: EFFICIENT IMPLEMENTATION OF AN AUCTION PROXY BID ENGINE

1. This is a new  Utility     Design     Plant patent application.
2. The papers enclosed to obtain a filing date are as follows:  
22 Pages of Application including  
1 Title Page  
11 Pages of Disclosure  
5 Pages of Claims  
1 Page of Abstract  
4 Sheets of drawings containing Figures 1-4  
 The enclosed drawing(s) are photograph(s), and there is also attached a PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S).
3. Combined Declaration and Power of Attorney  
 Enclosed and is executed by all inventors.  
 Not Enclosed.  
This application is being filed under the provisions of 37 C.F.R. §1.53(f).  
Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.
4. Language  
 English  
 Non-English  
This application is being filed in accordance with 37 C.F.R. §1.52(d) and §608.01 of the MPEP. Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the verified English translation and the processing fee.

5. Assignment

An assignment of the invention to Sun Microsystems, Inc. and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

An assignment will be filed at a later date.

6. Priority - foreign applications under 35 U.S.C. §119(a)-(d) or §365(b) or PCT international applications under 35 U.S.C. §365(a) designating at least one country other than the U.S.

Priority of the following foreign application(s) is claimed:

Country	Application No.	Filed

Certified copy:  is attached.  will follow.

7. Priority based on provisional application(s) - 35 U.S.C. §119(e)

Priority of the following provisional application(s) is claimed:

Application No.	Filed

A. Relate Back - 35 U.S.C. §119(e)

Amend the specification by inserting before the first line the sentence:  
"This application claims priority of copending provisional application(s)  
No. \_\_\_\_\_ filed on \_\_\_\_\_."

8. Small entity status

A statement claiming small entity status under 37 C.F.R. §§1.9 and 1.27 is enclosed.

9. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS FOR FEE CALCULATION				
	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$710.00 Design \$310.00
Total Claims (37 C.F.R. §1.16(c))	15 - 20 =	0	\$ 18.00 each=	+\$ 710.00
Independent Claims (37 C.F.R. §1.16(b))	4 - 3 =	1	\$ 80.00 each=	+\$ 80.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			\$ 260.00	+
Assignment Fee				+\$40.00
				<b>SUB-TOTAL = \$ 830.00</b>
				<b>Reduction by 1/2 for filing by a small entity -\$</b>
				<b>TOTAL FILING FEE = \$ 830.00</b>

10. Fee Payment

Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.**

This application is being filed under the provisions of 37 C.F.R. §1.53(f).

Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration and paying the filing fees.

Please charge Deposit Account 50-1349 in the amount of \$830.00 for the filing of this application. A duplicate copy of this paper is enclosed.

11.  **Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

12. Additional papers enclosed:

- Change of Correspondence Address
- Preliminary Amendment
- Information Disclosure Statement
- Form PTO- 1449, \_\_ documents as listed
- Declaration of Biological Deposit
- Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Please accord this application an application number and filing date.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By: 

Matthew T. Bailey  
Reg. No. 33,829

Dated: 15 November 2000

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